

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: DEC 07 2007

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In re

07-CV-05995 (PAC)

DANA CORPORATION, *et al.*,

Chapter 11
Case No. 06-10354 (BRL)
(Jointly Administered)

Debtors.

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BERLIN METALS LLC,

Appellant,

NOTICE OF WITHDRAWAL
OF BANKRUPTCY APPEAL

- against -

DANA CORPORATION, *et al.*,

Appellees.

-----x

PLEASE TAKE NOTICE THAT, whereas on November 19, 2007, the Debtors filed in the Bankruptcy Court, in Case No. 06-10354 (BRL), a *Notice of Settlement of Claims and Related Matters with Berlin Metals LLC and J.P. Morgan Chase Bank N.A.* (the "Notice") (Docket No. 6993), and the Debtors and their counsel having represented that they served such Notice in the manner required under the applicable orders of the Bankruptcy Court, and no objection to such Notice having been filed in the Bankruptcy Court by the objection deadline of December 3, 2007, at 4:00 PM, and upon the consent of JPMorgan Chase Bank (the "Bank") as assignee of the claims filed in the Bankruptcy Court by Appellant Berlin Metals LLC against Debtor Dana Corporation and Debtor Reinz Wisconsin Gaskets LLC evidenced at the foot hereof, Appellant Berlin Metals LLC hereby withdraws its Notice of Appeal from the order of the Bankruptcy Court dated April 25, 2007 (valuing the reclamation claim of Berlin at "zero"),

with prejudice in accordance with the terms of the settlement agreement described in such
Notice. *Case Closed.*


Dated: December 6, 2007

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SO ORDERED: DEC 07 2007


HON. PAULA A. CROTTY
UNITED STATES DISTRICT JUDGE